

3 FAH-1 H-3430 HOME LEAVE

This subchapter contains guidelines and procedures which implement the regulations published in 3 FAM 3430 and should be used with that subchapter.

3 FAH-1 H-3431 PURPOSE

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

The purpose of home leave is to ensure that employees who live over-seas for extended periods undergo reorientation and re-exposure in the United States on a regular basis.

3 FAH-1 H-3432 APPLICABILITY

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

- An employee who meets the requirements of 3 FAH-1 H-3415 for the accumulation of a maximum of 45 days of annual leave, earns and may be granted home leave.
- Participating agency employees of USAID compensated under the FC schedule earn home leave on the same basis as other USAID employees.

3 FAH-1 H-3433 DEFINITIONS

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

The following definitions apply to 3 FAM 3430 and this subchapter:

(1) **Creditable service abroad** - For the purpose of establishing eligibility for travel at Government expense creditable service abroad is continuous service as a Federal employee with any agency of the Federal Government, including service in the U.S. Armed Forces at a post of duty outside the United States, or outside the employee's place of residence, if the employee's residence is a U.S. Commonwealth or possession.

(2) **Home leave** - Leave authorized by 5 U.S.C. 6305 and earned by service abroad for use in the United States or a U.S. Commonwealth or possession.

(3) **Month** - A period which runs from a given day in one month through the day preceding the numerically corresponding day in the next month.

(4) **Possession** - The possessions of the United States, including principally the Virgin Islands, Guam and American Samoa.

(5) **United States** - The 50 States and the District of Columbia.

(6) **U.S. Commonwealths** - The Commonwealths of Puerto Rico and the Northern Mariana Islands.

(7) **Foreign Affairs Agencies** - State, USAID, USIA, the Department of Commerce and the Foreign Service Corps of USDA.

3 FAH-1 H-3434 CONTINUOUS SERVICE ABROAD

3 FAH-1 H-3434.1 Computation of Continuous Service Abroad

3 FAH-1 H-3434.1-1 Computation of Beginning Date

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Continuous service abroad begins on the:

(1) Date of arrival at post of duty abroad on first assignment; or

(2) Date of arrival at post of duty abroad after an assignment in the United States; or

(3) Date of arrival at post of duty abroad after an assignment in a U.S. Commonwealth or possession, if that is the employee's home leave residence; or

(4) Date of arrival at post of duty abroad upon return from annual leave in the United States or home leave with transit time allowed; or

(5) Date of arrival at authorized post for consultation, detail or temporary duty abroad en route to post of assignment; or

(6) Date of entrance on duty, for an employee recruited abroad, except that if such employee transferred from another Government agency or was appointed following military service, paragraphs (1) through (5) shall be used to determine the beginning date. In such cases, the appropriate officer shall ascertain from the releasing agency the following information:

- The actual date of arrival abroad on assignment;
- The date of return to post from last period of annual or home leave with transit time allowed; and
- The inclusive dates of any leave in the United States (or in a U.S. Commonwealth or a possession, if that is the employee's home leave residence) subsequent to the last period of annual or home leave with transit time.

The date continuous service abroad begins shall then be posted on the reverse side of Form OF-202, Leave Record, for State, Commerce, USDA, and USIA. For USAID, the data is provided in the arrival notice cable.

3 FAH-1 H-3434.1-2 Continuous Service Is Delayed

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Fulfillment of the 18 month continuous service requirement is delayed by:

(1) Any time spent in the United States or a U.S. Commonwealth or possession in annual leave status (e.g., Rest and Recuperation, Family or Emergency Visitation Travel, compensatory time and annual leave taken in conjunction with official duty time authorized by U.S. Government Temporary Duty orders) or in conjunction with sick leave while on official medical travel orders. The foregoing time affecting the delay is computed from the first workday in a leave status through the last workday in a leave status, and includes all non-workdays occurring within this period. The actual period of travel to and from the United States or a U.S. Commonwealth or possession is not included in the computation;

(2) Time spent in leave without pay status that exceeds two work weeks within a 12-month period while assigned to a post abroad; and

(3) Any time spent in the United States, U.S. Commonwealths, or a U.S. possession while on personal travel in an annual leave, sick leave, or leave without pay status.

3 FAH-1 H-3434.1-3 Continuous Service Is Not Delayed

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Fulfillment of the 18-month continuous service requirement is not **3 FAH** delayed by time spent in the United States or a U.S. Commonwealth or possession by such matters as being:

- On official TDY, consultation, or detail at any time while the employee remains assigned to an overseas post provided the period is not more than six months in duration;
- On official emergency evacuation orders for up to 180 days;
- On sick leave on official medical travel orders for up to 180 days.

3 FAH-1 H-3434.1-4 Continuous Service Is Broken

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Continuous service is broken:

- By an assignment in the United States or a U.S. Commonwealth or possession, if that is the employee's designated home leave residence. An assignment includes official TDY, consultation, or detail of more than six months continuous duration in the United States or a U.S. Commonwealth or possession while the employee remains assigned to an overseas post.
- By home leave, whether taken as an employee or as a dependent.
- By a break in service of one or more workdays.

3 FAH-1 H-3434.1-5 Continuous Service Is Not Broken

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Continuous service is not broken by:

(1) By annual, sick or military leave, or LWOP or other status or condition provided in section **3 FAH-1 H-3434.1-2** as only delaying such service (a suspension is not a break in service).

(2) By transfer without a break in service to an international organization if the employee remains stationed abroad. However, an employee does not earn home leave during the assignment, and service with an international organization does not qualify as continuous service abroad for the purposes of determining eligibility for home leave (see section **3 FAH-1 H-3433 a**) . Previously acquired continuous service with a federal agency abroad may be retained for the purpose of establishing the employee's eligibility for home leave after reemployment with the Federal Government (unless continuous service is broken as described in section **3 FAH-1 H-3434.1-4**).

3 FAH-1 H-3434.1-6 Example of Computation

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

a. Facts

(1) Employee arrived at post of duty abroad on first assignment on March 19, 1986. If service is not broken or delayed, home leave eligibility would be March 19, 1986 plus 18 months or September 19, 1987.

(2) Employee departed from post of duty abroad on Thursday morning, December 18, 1986, for visitation leave in the United States.

(3) Employee arrived at United States port or border on Saturday, December 20, 1986.

(4) Employee departed from United States port or border en route to post of duty abroad on Sunday, January 11, 1987.

(5) Employee arrived at post on January 13, 1987, and reported for duty on January 14, 1987.

b. Calculation

(1) Period of leave in the United States begins on Monday, December 22, 1986 (first workday after arrival in the United States), and ends on Friday, January 9, 1987 (last workday of period in the United States before departure for post). Total of 19 calendar days.

(2) Periods in travel status outside the United States (December 18-19 and January 12-13), non-workdays immediately preceding a charge to leave (December 20-21), and non-workdays immediately following the last workday in leave status in the United States (January 10-11) are not included in "leave taken in the United States."

(3) The 19 calendar days in the United States are added to the initial home leave eligibility date, September 19, 1987, and employee completes 18 months of continuous service abroad midnight October 8, 1987 (provided no additional leave is taken that would break or delay home leave eligibility).

(4) For State, Commerce, USDA, and USIA, "Date of arrival abroad for home leave purposes" on the reverse of OF-202 is changed from March 19, 1986 to April 7, 1986. For USAID, the new eligibility date is provided in the arrival notice cable (see HB 32, Supp. 1C).

3 FAH-1 H-3434.2 Post's Recording and Reporting Responsibilities

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Section 903 of the Act requires a minimum of 18 months of continuous service abroad before home leave eligibility is established. (Note: an employee's transfer eligibility date is not extended because of leave taken in the United States, but the employee's home leave eligibility date — i.e., eligibility after 18 months continuous service abroad — is delayed by the amount of leave taken in the United States or a U.S. Commonwealth or possession (see sections **3 FAH-1 H-3434.1-2** and **3 FAH-1 H-3434.1**).

(1) Posts shall record all leave taken in the United States or a U.S. Commonwealth or possession, computed in accordance with section **3 FAH-1 H-3434.1** .

(2) Such leave will be reported telegraphically to the Department or the agency by TMTHREE only in those instances when receipt of travel orders, in which home leave is authorized will cause the employee to be in violation of the statutory requirement of 18 months continuous service abroad. For USAID, report leave taken in the United States to USAID headquarters in accordance with Handbook 32, Supp. 1C.

(3) Posts are not required to report to the Department or agency any leave taken in the United States or a U.S. Commonwealth or possession after an employee has accumulated 18 months of continuous service abroad (as computed in section **3 FAH-1 H-3434.1**) . The leave must, of course, be recorded on time and attendance and leave records.

3 FAH-1 H-3435 ACCRUAL OF HOME LEAVE

3 FAH-1 H-3435.1 Computation of Creditable Service Abroad for Home Leave Accrual

3 FAH-1 H-3435.1-1 Service Begins

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

- a. Creditable service abroad for home leave accrual begins on the:
 - Date of arrival at post abroad on initial assignment; or
 - Date of entrance on duty, in the case of an employee recruited abroad; or
 - Date of arrival at post abroad following a U.S. assignment (or in a U.S. Commonwealth or a U.S. possession, if that is the employee's designated home leave residence); or
 - Date of arrival at authorized post of detail abroad enroute to post of assignment; or
 - Effective date of the personnel action transferring or reassigning an employee who is currently in a position at a post abroad exempt from the provisions of 5 U.S.C., Chapter 63, to a position at a post abroad subject to the provisions of 5 U.S.C., Chapter 63.
- b. Full credit shall be given for the day of arrival at a post of duty abroad or at the authorized post of detail abroad en route to post of assignment.

3 FAH-1 H-3435.1-2 Service Abroad Includes

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Service abroad includes:

- (1) Absence in a nonpay status up to a maximum of 2 work weeks within each 12 months of service abroad;
- (2) Authorized leave with pay;
- (3) Time spent in the United States, U.S. Commonwealth, or a U.S. possession, as long as the employee is not officially assigned to a position in:
 - The United States, or

- A U.S. Commonwealth or a U.S. possession, if that is the employee's designated home leave residence;

(4) Time spent in the Armed Forces of the United States which interrupts service abroad.

3 FAH-1 H-3435.1-3 Service Abroad Ends

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Service abroad ends:

(1) On the date the employee departs from post under transfer orders to a position in the United States (or a position in a U.S. Commonwealth or a U.S. possession, if that is the employee's designated home leave residence); or

(2) On the date of departure from the post of detail if the employee is detailed to a post abroad for duty en route to the United States (or U.S. Commonwealth or a U.S. possession, if that is the employee's designated home leave residence) on transfer orders; or

(3) On the day immediately preceding the effective date of change in the employee's duty station in instances where an employee is in the United States (or in a U.S. Commonwealth or a U.S. possession, if that is the designated home leave residence) on leave or consultation and is transferred to a position in the United States (or in a U.S. Commonwealth or a U.S. possession, if that is the employee's designated home leave residence); or

(4) On the date of departure from post of assignment or post of authorized detail for separation; or

(5) On the date of the employee's separation when separated abroad.

NOTE: Full credit shall be given for the day of departure from post of assignment or a post of authorized detail.

3 FAH-1 H-3435.2 Earning Rates for Home Leave

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

For each twelve months of creditable service abroad, home leave shall accrue (maximum, 15 days) as follows provided the conditions of eligibility are met:

(1) An employee who accepts as a condition of employment the obligation to accept assignment anywhere in the world as the needs of the agency dictate will earn 15 days;

(2) An employee serving with a U.S. mission to a public international organization will earn 15 days;

(3) An employee serving at a post for which a post differential of 20 percent or more is authorized will earn 15 days;

(4) An employee not included under paragraphs (1), (2), or (3) who is serving at a post for which a post differential of at least ten percent but less than twenty percent is authorized will earn ten days; and

(5) An employee not included under paragraphs (1), (2), (3), or (4) will earn five days.

3 FAH-1 H-3435.3 Crediting Home Leave

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Home leave is credited to an employee's leave account, as earned, in multiples of one day, and may be accumulated without limitation for future use.

3 FAH-1 H-3435.4 Home Leave Earning Table

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

Employees earn home leave for each month of creditable service abroad under the rates fixed by section **3 FAH-1 H-3435.2** as follows:

Months of Service Accrual Rate (days for each month of a 12-month period)

	15	10	5
	Days Earned		
1	1	0	0
2	1	1	0
3	1	1	1
4	2	1	0
5	1	1	1
6	1	1	0
7	1	0	0
8	2	1	1
9	1	1	0
10	1	1	1
11	1	1	0
12	2	1	1

3 FAH-1 H-3435.5 Change In Home Leave Earning Rate

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

When an employee moves between different leave-earning rates before completion of a month of creditable service abroad, or when a change in the post differential rate during the month results in a different leave earning rate, the employee will be credited leave at the rate to which entitled prior to the change in the accrual rate.

3 FAH-1 H-3436 DAYS NOT CHARGED

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

If authorized, time spent in community relations and public affairs activities at the request of the Foreign Affairs Agencies, such as speeches, and participation in university seminars and media events is considered performance of duty. Therefore, home leave will not be charged for the day on which an employee participates in such activity. Certification of such engagements must be reported with leave deduction upon return from home leave:

Agency	Office Which Must Approve
Department of State	PA
USAID	Office of External Affairs (in advance)
USIA	M/HR or B/P Commerce OFSP
Foreign Service Corps	FAS: ISB/MSD/FSA
USDA	APHIS: Assistant Deputy Administrator, International Services

3 FAH-1 H-3437 HOME LEAVE ADDRESS OF RECORD

(TL:POH-11; 4-8-96)

(Uniform State/USAID/USIA/Commerce/Foreign Service Corps-USDA)

(Applies to Foreign Service and Civil Service employees)

The home leave address of record represents a permanent location in the United States or a U.S. Commonwealth or possession if an employee's place of residence is outside the area of employment, to which the employee and family members are authorized to proceed when granted home leave. Employees should give careful consideration to the initial selection. Requests for changes in home leave addresses may be approved only if the employee can establish that changed circumstances so require. Requests for changes in home leave address will be reviewed on a case-by-case basis. The selection of a new location intended to accommodate the employee's personal convenience is not an acceptable basis for approval.

3 FAH-1 H-3438 THROUGH H-3439 UNASSIGNED